

Notice of Allowability

Application No.

09/771,142

Examiner

Romain Jeanty

Applicant(s)

WARES, LARRY ALLEN

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/6/06.
2. ☒ The allowed claim(s) is/are 1-2, 17-18, 21-23, 25-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

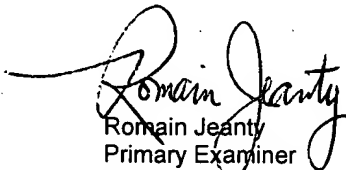
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Romain Jeanty
Primary Examiner
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Allowable Subject Matter

1. Claims 1-2, 17-18, 21-23, and 25-27 are allowed.

Reasons for Allowance

2. The following is an Examiner's statement of reasons for allowance:

The closest prior art is to Nummelin (U.S. Patent No. 6,308,164), and Dialog (BuildPOint.com Launches First Web-based Business-to-Business Solution For \$415 Billion Construction Materials Industry). Nummelin in combination with Dialog fails to teach evaluating and re-packaging said bid documents into packages by general contractors, evaluating bids received from said subcontractors and compiling totals into a base bid by said general contractors and submitting said base bid by said general contractors to said owner and architects, taken in combination with a computer-implemented project management method and system as recited in independent claim 1.

The closest prior art is to Nummelin (U.S. Patent No. 6,308,164), and Dialog (BuildPoint.com Launches First Web-based Business-to-Business Solution For \$415 Billion Construction Materials Industry). Nummelin in combination with Dialog fails to teach evaluating and re-packaging said bid documents into packages by general contractors, evaluating bids received from said subcontractors and compiling totals into a base bid by said general contractors and submitting said base bid by said general contractors to said owner and architects, taken in combination with a computer-implemented method for managing projects as recited in independent claim 17.

The closest prior art is to Nummelin (U.S. Patent No. 6,308,164), and Dialog (BuildPoint.com Launches First Web-based Business-to-Business Solution For \$415 Billion Construction Materials Industry). Nummelin in combination with Dialog fails to teach evaluating and re-packaging said bid documents into packages by general contractors, evaluating bids received from said subcontractors and compiling totals into a base bid by said general contractors and submitting said base bid by said general contractors to said owner and architects, taken in combination with a computer-implemented bidding system for the real estate, development, building and construction industries as recited in independent claim 21.

The closest prior art is to Nummelin (U.S. Patent No. 6,308,164), and Dialog (BuildPoint.com Launches First Web-based Business-to-Business Solution For \$415 Billion Construction Materials Industry). Nummelin in combination with Dialog fails to teach evaluating and re-packaging said bid documents into packages by general contractors, evaluating bids received from said subcontractors and compiling totals into a base bid by said general contractors and submitting said base bid by said general contractors to said owner and architects, taken in combination with a computer-implemented method for bidding real estate and construction development projects as recited in independent claim 25.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ito (U.S. Patent No. 5,761,674) discloses an integrated construction management system.

b. Buzaglo et al (WO99/39291), discloses a project management system.

c. Alshawhi (AN IFC WEB-BASED COLLABORATIVE CONSTRUCTION COMPUTER ENVIRONMENT: WISER), discloses a web-based collaborative project management system.

d. Sawney et al (Internet-Based Interactive Construction Management Learning System), discloses a method for managing large construction projects.

e. Dialog (Market for PC project-management software was worth \$232 mil in 1992), discloses a project management software which allows firms to schedule and track projects.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ


Romain Jeanty
Primary Examiner
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2/20/07